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Application No. 10.726,363 TRANSMITTAL FORM Filing Date December 2, 2003 (to be used for all correspondence after initial filing) First Named Inventor Brian A. Leete Art Unit 2661 **Examiner Name** Rijue Mai Total Number of Pages in This Submission Attorney Docket Number 42P11441D **ENCLOSURES** (check all that apply) After Allowance Communication to Group Fee Transmittal Form Drawing(s) Appeal Communication to Board of Appeals and Interferences Fee Attached Licensing-related Papers Appeal Communication to Group Petition Amendment / Response (Appeal Notice, Brief, Reply Brief) Petition to Convert a Provisional Application After Final Proprietary Information Affidavits/declaration(s) Power of Attorney, Revocation Change of Correspondence Address Status Letter Extension of Time Request Other Enclosure(s) Terminal Disclaimer (please identify below): **Express Abandonment Request** Request for Refund Return receipt postcard Information Disclosure Statement TO/SB/08 CD, Number of CD(s) Certified Copy of Priority Document(s) Response to Missing Parts/ Incomplete Application Remarks Basic Filing Fee Declaration/POA Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Steven Laut, Reg. No. 47,736 Individual name BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP Signature October 12, 2004 Date **CERTIFICATE OF MAILING/TRANSMISSION** I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. Typed or printed name Jean Svoboda

Date

October 12, 2004

Signature

Docket No.: 42P11441D

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

BRIAN A. LEETE, ET AL.

Application No.: 10.726,363

Filed: December 2, 2003

For: **APPARATUS FOR PERIOD** 

PROMOTION AVOIDANCE FOR HUBS

Art Group: 2661

Examiner: Rijue Mai

## INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

In accordance with the duty of disclosure, enclosed is a copy of IDS Citation Form PTO/SB/08 or PTO-1449, together with copies of the documents cited on that form, except for copies not required to be submitted (e.g., copies of U.S. patents and U.S. published patent applications need not be enclosed for applications filed after June 30, 2003). This IDS and IDS Citation Form are being submitted before the mailing of a first Office Action. It is respectfully requested that the cited references be considered and that the enclosed copy of PTO/SB/08 be initialed by the Examiner to indicate such consideration and a copy thereof returned to applicant(s). Some or all of the references listed on the enclosed PTO/SB/08 were previously identified in the parent application (Application No. 09/895,126, filed June 29, 2001) and copies of the references were furnished at that time. Accordingly, per 37 CFR §1.98(d)(1) additional copies of those references are not submitted herewith.

-1-

The submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made in the subject application and is not to be construed as an admission that the information cited in this statement is material to patentability.

Please charge any fees due to Deposit Account 02-2666. A duplicate copy of the Fee Transmittal (PTO/SB/17) is enclosed for this purpose.

Respectfully submitted,

Blakely, Sokoloff, Taylor & Zafman LI

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Date: October 12, 2004

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Date

10-12-04

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## Substitute for form 1449A/PTO Complete if Known 10.726,363 Application Number **必ŇFORMATION DISCLOSURE** December 2, 2003 Filing Date Brian A. Leete First Named Inventor STATEMENT BY APPLICANT 2661 Art Unit (use as many sheets as necessary) **Examiner Name** Rijue Mai 1 1 **Sheet** of Attorney Docket Number 42P11441D

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U.S. PATENT DOCUMENTS									
Examiner Initials*	Cite No.1	Document Number  Number - Kind Code <sup>2</sup> (if known)	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear				
		US-6,119,190	09-12-2000	Garney					
		US-6,349,354	02-19-2002	Garney					
		US-6,404,735	06-11-2002	Beshai et al.					
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FOREIGN PATENT DOCUMENTS										
Examiner Initials*	Cite No.1	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines,					
		Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)			Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear					
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Examiner	***	Date	
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<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

Based on PTO/SB/08A (08-03) as modified by Blakely, Solokoff, Taylor & Zafman (wlr) 08/11/2003.